

**In the Drawings:**

Replace the sheet of drawings with Figs. 1a-1c with a new sheet of drawings with amended Figs. 1a, 1b.

## **REMARKS**

Reconsideration of the application in view of the present amendment is respectfully requested.

By the present amendment, the specification and drawings (Figs. 1a, 1b) have been amended to insert a missing reference numeral. Claim 2 has been canceled. Claims 1-6 and 13 have been amended to eliminate an alleged indefiniteness therein. Claims 18-20 have been added.

Based on the foregoing amendments and the following remarks the application is deemed to be in condition for allowance and action to that end is respectfully requested.

### **I.     Objection to the Drawings**

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a) for not showing all of the features specified in the claims. As noted above, the drawings and the specification has been amended to insert a missing reference numeral.

Approval of the amendment to the drawings (Figs. 1a, 1b) (a replacement sheet with Figs. 1a, 1b, together with a letter to the Official Draftsperson being enclosed) is respectfully requested.

## **II. Rejection Under 35 U.S.C. § 112**

The Examiner rejected claims 2-6 and 12-13 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite, pointing out specific language in claims 1-6 and 12-13 rendering these claims and claims dependent thereon indefinite. As noted above, claims 2-6, and 13 have been amended to eliminate the alleged indefiniteness therein. Claim 12 has been canceled and replaced with claims 18-20.

It is respectfully submitted that all of the claims 1-11 and 13-20 comply with all of the requirements of 35 U.S.C. § 112.

## **III. Rejection Over the Prior Art**

The Examiner rejected claims 1-17 under 35 U.S.C. § 102(b) as being anticipated by Kleine, European Publication EPO 304002 A1 (EP '002). It is respectfully submitted that claims 1-11 and 13-20 are patentable over EP '002.

A primary object of the present invention is to provide a shank for a rotary and percussive tool capable of transmitting a high torque without any noticeable wear from a chuck having a relatively small radial depth, and having good pulse behavior.

This and other objects of the present invention are achieved by providing a shank having, as recited in claim 1, at least two axially spaced, guide regions, at least one radially projecting entrain strip, and at least one locking groove arranged between the at least two guide regions and axially closed at its opposite ends for receiving at least one radially displaceable and axially displaceable, within predetermined limits, locking member of a chuck, with the at least one of the at least two guide regions having a guide dimension that is smaller than a cross-sectional width of an axial region of the locking groove that also includes a radial extent of the entrain strip, and greater than thickness of the axial region measured in a direction transverse to the width measurement direction.

The foregoing novel features are not disclosed or even remotely suggested in EP '002 that does not disclose a shank as claimed.

**shank** - the end (as of a drill bit) that is gripped in a chuck.  
Merriam Webster Online Dictionary

EP '002 relates to a drill that is commonly used for forming bores in which after drilling, screws are screwed in directly or after insertion of a dowel (column 1, lines 11-14). In order to avoid a need to remove the drill from a drilling tool and insert a screw-driving tool and, then, for the next bore to repeat the process, it was suggested to retain "the drill in the chuck of the power tool and to push a tubular screw bit holder over the drill stem onto the pick-up surfaces (Mitnahmeflächen) of

the drill which are located in front of (emphasis added) the chuck” (column 1, lines 29-33).

The invention of the EP ‘002 is directed to a drill of the type described above and having larger diameters and to the method of forming the pick-up surfaces.

EP ‘002 describes a drill with pick-up surfaces (16) and a screw bit holder (shown in Fig. 4) that includes an inner pick-up (43) that cooperates with pick-up surfaces (16) of the drill for mounting the screw bit holder on the drill (as shown in Fig. 7).

It is noted that the shank (11) of the working tool of EP ‘002 has a completely different structure from that according to claim 1.

It is further noted that the grooves (18) of the pick-up surfaces (16) are closed only at one end (19) and are connected by grooves (20) with the drill stem (13) (Fig. 1) (claim 7) (for convenience of the Examiner enclosed herewith are an English version of claims allowed in EP ‘002, as Exhibit “A”).

From the foregoing discussion of EP ‘002 it should be clear that EP ‘002 neither anticipates nor makes obvious the present invention, as defined by claim 1, and claim 1 is respectfully submitted to be patentable over EP ‘002, and is allowable.

Claims 2-11, 13-15, and 18-20 depend on claim 1 and are respectfully submitted to be also allowable.

Claims 16 and 17, which relate to a tool set including two tools with different shanks and an associated chuck rely for their patentability on substantially the same novel features as claim 1 and are allowable for the same reasons claim 1 is allowable.

## CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,



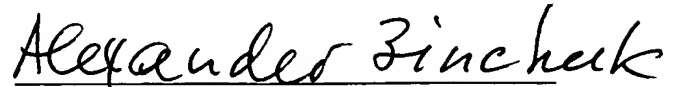
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This correspondence is being deposited with the United States Postal Service on January 19, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **ER 059 675 189 US** addressed to the Honorable Commissioner for Patents, Alexandria, VA 22313-1450.



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